

UNITED STATES POSTAL SERVICE

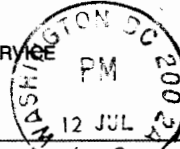


First-Class Mail
Postage & Fees
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

U. S. ENVIRONMENTAL PROTECTION AGENCY
1000 ARCH STREET
PHILADELPHIA, PA 19103-2039
PESTICIDES/ASBESTOS PROGRAMS & ENFORCEMENT BRANCH
ATTN: K. Townsend (3WC32)

UNITED STATES POSTAL SERVICE



PHILA PA

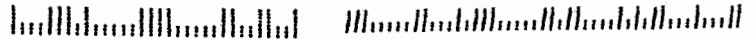
BUCKLE UP

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

Townsend

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 ARCH STREET
MAIL CODE 3WC32
PHILADELPHIA, PA 19103-2029
OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE \$300



Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Stanley Seigel, Director of Development
Hebrew Academy of Greater Washington
2010 Linden Lane
Silver Spring, MD 20910

4a. Article Number

P 342 203 868

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

12-17-99

5. Received By (Print Name)

Kaiser

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X

PS Form 3811, December 1994

Domestic Return Receipt

P 120 294 927

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to

Hebrew Academy of Greater

Washington, Inc., 2010 Linden In.

Post Office, State, & ZIP Code

Silver Spring, MD 20910

Postage

\$

Certified Fee

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing to Whom & Date Delivered

Return Receipt Showing to Whom, Date, & Addressee's Address

TOTAL Postage & Fees

\$

Postmark or Date

6/30/99

PS Form 3800, April 1995

P 342 203 868



Receipt for Certified Mail

No Insurance Coverage Provided

Do not use for International Mail

(See Reverse)

Sent to

Stanley Seigel, Director of Development
Hebrew Academy of Greater Washington
2010 Linden Lane
Silver Spring, MD 20910

Certified Fee

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing to Whom & Date Delivered

Return Receipt Showing to Whom, Date, and Addressee's Address

TOTAL Postage & Fees

\$

Postmark or Date

PS Form 3800, June 1991

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Margaret Harris, Principle
Hebrew Academy of Greater Washington, Inc.
[Redacted Address]



4a. Article Number

20 294 927

4b. Service Type

☒ Registered

☐ Express Mail

☐ Return Receipt for Merchandise

5. Date of Delivery

7/12/99

☒ Certified

☐ Insured

☐ COD

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X [Signature]

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
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- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Stanley Seigel, Director of Development
Hebrew Academy of Greater Washington
2010 Lincoln
Silver Spring, MD [Redacted Address]

4a. Article Number

P 342 203 868

4b. Service Type

☐ Registered

☐ Express Mail

☐ Return Receipt for Merchandise

☒ Certified

☐ Insured

☐ COD

7. Date of Delivery

12-17-99

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X [Signature]

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

ROUTING AND TRANSMITTAL SLIP

Date

4/16/99

TO: (Name, office symbol, room number, building, Agency/Post)

Initials

Date

1. Townsboro (3WC32)

KT

4/16/99

2. Sherman (3WC32)

B

4/22/99

3. Lott (3WC32)

dl

4/22/99

4. Smolski (3RC12)

hss

5/20/99

5. ~~McLaren~~ ~~3WC32~~

Action	File	Note and Return
<input checked="" type="checkbox"/> Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	<input checked="" type="checkbox"/> Signature
Coordination	Justify	

REMARKS

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

AHERA NON -
The Owl Elementary
School

Need you to sign this Doc. - rpk

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

Room No.—Bldg.

Ruth L. Townsend-McLaren

Phone No.

X-2045

5041-102

* U.S. GPO: 1990-262-080

OPTIONAL FORM 41 (Rev. 7-76)
Prescribed by GSA
FPMR (41 CFR) 101-11.206

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

SUBJECT: AHERA Violation - Notice of Noncompliance
The Owl Elementary School
Washington, D.C.
Case Number #A99-0001

DATE: 4/16/99

FROM: Kyla L. Townsend-McIntyre, ES *K. Townsend-McIntyre*
Pesticides/Asbestos Programs & Enforcement Branch (3WC32)

TO: Donald J. Lott, Chief
Pesticides/Asbestos Programs & Enforcement Branch (3WC32)

The Pesticides/Asbestos Programs & Enforcement Branch recommends that you sign the attached Notice of Noncompliance and return it to my office for service. The case involves violations of AHERA by Hebrew Academy of Greater Washington Inc., 2010 Linden Lane, Silver Spring, MD 20910, at The Owl Elementary School, 6045 16th Street NW, Washington, D.C. 20011.

A. Respondent

Hebrew Academy of Greater Washington Inc. is the Local Education Agency for The Owl Elementary School, a private school located in Washington, District of Columbia. The school has a total enrollment of approximately 193 students and employs approximately 30 persons.

B. Type of Action

The recommended action is an administrative proceeding for issuance of a Notice of Noncompliance for violations of AHERA.

C. Summary of the Case

On February 17, 1999, an inspection was conducted at The Owl Elementary School in response to a survey of all Washington D.C. schools. During the inspection, the inspector determined that the Hebrew Academy of Greater Washington Inc. had failed to provide documentation of a management plan for The Owl Elementary School. Because of this failure they did not perform many of the AHERA requirements such as reinspection every three years in a manner consistent with the regulations and provide notifications as required by regulation.

D. State or City Involvement

This is a federal action, states do not have enforcement authority for violations of AHERA.

E. Respondent's AHERA History

Respondent has no known past violations of AHERA.

F. EPA Policy Impact

This case is consistent with EPA Policy.

G. Public and Congressional Relations

No special public or congressional concern is expected in response to the action.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

JUN 30 1999

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Margaret Harris, Principal
Hebrew Academy of Greater Washington Inc.
2010 Linden Lane
Silver Spring, MD 20910

Re: Notice of Noncompliance, Case No. #A99-0001 - The Owl Elementary School

Dear Ms. Harris:

The United States Environmental Protection Agency ("U.S. EPA") serves this Notice of Noncompliance ("NON") to you for violations at The Owl Elementary School located on 6045 16th Street NW, Washington, D.C. 20011, of subchapter II of the Asbestos Hazard Emergency Response Act ("AHERA") of the Toxic Substances Control Act ("TSCA"), 15 U.S.C. §§ 2601 to 2692, as alleged below. Each violation is based on information collected by the U.S. EPA inspector during a February 17, 1999 inspection, indicating that the following AHERA violations existed at that time:

- Failure to ensure that workers and building occupants, or their legal guardians, are informed at least once each school year about inspections, response actions, and post-response activities, including periodic reinspection and surveillance activities that are planned or in progress, in violation of 40 C.F.R. § 763.84(c);
- Failure to document a reinspection of the school facility every three years as required by the regulations, in violation of 40 C.F.R. §763.85(b);
- Failure to maintain in the LEA's or school's administrative office a complete, updated copy of the management plan for the school, in violation of 40 C.F.R. §763.93(g)(2);
- Failure to notify in writing parent, teacher, and employee organizations of the availability of the management plans in violation of 40 C.F.R. §763.93(g)(4).

The Interim Final Enforcement Response Policy for the Asbestos Hazard Emergency Response Act ("AHERA ERP"), dated January 31, 1989 (enclosed), provides that Notices of Noncompliance ("NON") are to be issued to Local Educational Agencies for certain violations of AHERA and/or AHERA regulations.

The AHERA ERP provides that no penalties be assessed for the violations in the bulleted list. However, repeat violations of AHERA may be considered knowing and willful violations of

TSCA, and therefore, may be subject to additional enforcement actions including civil and criminal penalties and injunctive relief.

If you have not already done so, you must immediately remedy these violations. If the violations are not corrected within thirty (30) days of your receipt of this NON, the AHERA ERP directs the EPA Region to pursue further action, including press releases, notification of the State Governor, injunctive relief, or criminal referral. Therefore, within thirty (30) days of your receipt of this NON, you must execute and return to Garry D. Sherman (3WC32), Regional Asbestos Coordinator, United States Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, PA 19103-2029, the certification set forth below:

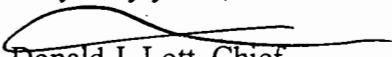
I hereby certify that the Local Education Agency, Hebrew Academy of Greater Washington Inc., has corrected the violations cited in the Notice of Noncompliance and has complied with all other requirements of the "Asbestos-Containing Materials in Schools" codified at 40 C.F.R. Part 763, Subpart E. I understand that the United States Environmental Protection Agency retains the right to reinspect Local Education Agencies and that the discovery of further violations may lead to additional enforcement action including possible imposition of civil penalties.

Principal

Date

In accordance with the AHERA ERP, I am forwarding a copy of this NON to the Governor's office. If you have any questions regarding this NON, your attorney, or you, if you are not represented by an attorney, may contact Mr. Sherman by telephone at (215) 814-5267.

Very truly yours,


Donald J. Lott, Chief
Pesticides/Asbestos Programs & Enforcement Branch

Enclosure

cc: Margaret Anne Khoury, Development Director
The Owl Elementary School
6045 16th Street, NW
Washington, DC 20011
Mayor Anthony Williams, Washington, D.C.
Governor Parris N. Glendening, Maryland

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Date

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Very truly yours,

Donald J. Lott, Chief
Pesticides/Asbestos Programs & Enforcement Branch

Enclosure

cc: Margaret Anne Khoury, Development Director
The Owl Elementary School
6045 16th Street, NW
Washington, DC 20011
Mayor Anthony Williams, Washington, D.C.
Governor Parris N. Glendening, Maryland

The Owl Elementary School - AHERA

CONCURRENCES								
SYMBOL	3WC32	3WC32	3WC32	3WC32	3RC12	3WC32	3WC32	
SURNAME	TOWNSEND	SHERMAN	WILDER	LOTT	SMOLSKI	WEBB	ARMSTRONG	
DATE	4/14/99	4/24/99	4/28/99	4-29-99	6/3/99			



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

December 3, 1999

DEC 08 1999

Stanley Seigel, Director of Development
Hebrew Academy of Greater Washington Inc.
2010 Linden Lane
Silver Spring, MD 20910

Re: Notice of Noncompliance, Case No. #A99-0001

Dear Mr. Seigel:

Thank you for your phone call on December 3, 1999 concerning the status of the building occupied by The Owl Elementary School on 6045 16th Street NW, Washington, D.C. 20011. Pursuant to the information provided during your phone conversation with Ms. Townsend-McIntyre, Hebrew Academy no longer owns the building occupied by The Owl Elementary School, and this building is now owned by The Owl Elementary School. As a result, we have come to the determination that the Notice of Noncompliance (NON) issued to the Hebrew Academy of Greater Washington, Inc. on June 30, 1999 was done so in error and has been withdrawn. The NON will be re-issued to the correct party. We apologize for the error and hope it has not caused you any inconvenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald J. Lott", is written over the word "Sincerely,".

Donald J. Lott, Chief
Pesticides Asbestos Programs & Enforcement Branch